

SUMMARY OF COUNCIL AND COMMITTEE MEETINGS		
RES/ORD	SUBJECT	ACTION

Tuesday, December 4, 2001

9:00	INVOCATION - Imam Faizul Khan, Islamic Society of Washington Area, Silver Spring	Presented invocation
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9:05	COMMENTS by Council President Blair Ewing	Received comments
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R-14-1091 R-14-1092	9:10 ELECTION OF COUNCIL OFFICERS	Adopted resolutions electing Steven A. Silverman as President and Derick P. Berlage as Vice President of the Montgomery County Council, respectively
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RECESSED: 9:45 A.M.	Recessed: 9:45 A.M -10:20 A.M.
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10:15 **GENERAL BUSINESS**

A. Announcement - Agenda and Calendar Changes (Lauer)	None
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B. Action - Approval of Minutes: November 20, 2001 (Edgar)	Approved minutes
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(1) 10:20 **CONSENT CALENDAR**

A. Introduction - End of Year Transfer for FY01 County Government Operating Budget - \$2,697,920 (Sherer)	Introduced
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B. Introduction - Resolution in support of State Financing for the Acquisition and Rehabilitation of the Victory Terrace Senior Apartments in Potomac (Trombka)	Introduced
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C. Introduction - Resolution to approve a Right of Recovery on behalf of the State of Maryland for State Grant Funds to be expended at the CHI Centers, Inc. facility in the former Hillandale Elementary School (Wilson)	Introduced
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RES/ORD	SUBJECT	ACTION
R-14-1093	<p>D. Action - Supplemental Appropriation to the MCPS FY02 Operating Budget - \$440,000 for Title I New School Improvements Funds (Source: State Grant) (Hughes)</p> <p><i>ED Committee recommendations will be available 11/29/01.</i></p>	Adopted
R-14-1094	<p>E. Action - Resolution regarding Montgomery County Public Schools' State funding request for school construction (Levchenko)</p>	Adopted
R-14-1095	<p>F. Action - Confirmation of County Executive appointments to the Silver Spring Urban District Advisory Committee: Charles H. Atwell; Todd D. Brown; Arvind Gajera; Bryant F. Foulger; Domenick Fioravanti (Ferber)</p>	Adopted
<p>10:25 LEGISLATIVE SESSION Day #38</p>		
	<p>A. Approval of Legislative Journal (Edgar)</p>	None
	<p>B. Introduction of Bills:</p> <p>(1.1) • Bill 42-01, Air Quality Control - Revisions, sponsored by Councilmember Subin (Cogan)</p> <p><i>Public Hearing is scheduled for 1/29/01 at 1:30 pm.</i></p>	Introduced
	<p>(1.2) • Emergency Bill 43-01, Minority Purchasing Program - Extension, sponsored by the Council President at the request of the County Executive (Cogan)</p> <p><i>Public Hearing/Action is scheduled for 12/11/01 at 11:30 am.</i></p>	Introduced
	<p>C. Call of Bills for Final Reading</p> <p>(2) • Emergency Bill 33-01, Human Rights - Transportation and Government Services (Cogan)</p> <p><i>HHS Committee recommendation will be available 11/29/01.</i></p>	Enacted (9y)*

*y - yes

RES/ORD	SUBJECT	ACTION
	<p>(3) • Bill 28-01, Tenant Displacement – Revisions (Cogan) <i>PHED Committee recommends approval with amendments.</i></p>	Enacted, as amended (8y; MS ta)*
	<p>(4) 11:15 RELEASE and PRESENTATION - Office of Legislative Oversight Report # 2001-8, A Study of the Montgomery County Department of Permitting Services (Orlansky/Brown) <i>T&E Committee worksession tentatively scheduled for 1/17/02 at 2:00 pm.</i></p>	Released report
RECESSED: 12:08 P.M.		
	<p>(5) 1:30 PUBLIC HEARING - Resolution to Grant a Franchise for Telecommunications System in the Public Right-of-Way: Columbia Transmission Communications (Cogan) <i>MFP Committee worksession tentatively scheduled for 12/10/01 at 2:00 pm.</i></p>	PH; record open until the close of business 12/5/01
R-14-1096	<p>(6) 1:30 PUBLIC HEARING/ ACTION - Supplemental Appropriation to Montgomery College's FY02 Capital Budget and amendment to the FY01-06 Capital Improvements Program - \$2,225,000 for Planned Lifecycle Asset Replacement (Source: G.O. Bonds) (Sherer) <i>ED Committee recommendation will be available 11/29/01.</i></p>	PH; adopted in the amount of \$2,075,000 (7y; IL, MP ta)*
R-14-1097	<p>(7) 1:30 PUBLIC HEARING/ ACTION - Supplemental Appropriation to the MCPS FY02 Operating Budget - \$1,740,236 for Food and Nutrition Services Enterprise Fund (Source: Enterprise Fund) (Hughes) <i>ED Committee recommendation will be available 11/29/01.</i></p>	PH; adopted (7y; IL, MP ta)*

*y – yes; ta – temporarily absent

RES/ORD	SUBJECT	ACTION
	2:00 WORKSESSION on the following:	
(8)	• Report of the Council Redistricting Commission (Wilson)	Discussion
(9)	• Bill 36-01 , Council Districts – Boundaries (Faden)	
RECESSED: 2:12 P.M.		
(10)	2:30 Council Interviews - Applicants for Merit System Protection Board (Ferber) <i>(6th floor Council Conference Room)</i>	Held interviews
RECESSED: 3:10 P.M.		
(11)	7:00 BRIEFING - Potomac Subregion Master Plan <i>(3rd floor Council Hearing Room)</i> (Orlin)	Received briefing
(12)	7:30 PUBLIC HEARING - Potomac Subregion Master Plan (Orlin) <i>(3rd floor Council Hearing Room)</i> <i>PHED Committee</i> <i>worksession tentatively scheduled for 1/15/02 at 2:00 pm.</i>	PH; record open until the close of business 12/31/01
ADJOURNED: 9:50 P.M.		

RES/ORD	SUBJECT	ACTION
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Tuesday, December 11, 2001

(1) 8:30-9:30 **DISCUSSION** - State Discussion; took position on bills
Legislative Program (*6th floor Council
Conference Room*) (Bialek)

9:45 **INVOCATION** - Rabbi Invocation
Warren Stone, Temple Emanuel,
Kensington

9:50 **GENERAL BUSINESS**

A. **Announcements:**

- Agenda and Addendum: Deferring a resolution
Calendar Changes (Lauer) concerning the Victory Terrace Senior
Apartments in Potomac; adding for
• Public Hearing dates introduction supplemental appropriations
for the FY03 Capital Budget and FY03-08 to the FY 02 Capital Budget and the FY
Capital Improvements Program: February 01-06 CIP of the Department of
5, 6 and 7, 2002 at 7:00 pm. Correction and Rehabilitation, and the
Revenue Authority, respectively;
deferring the introduction of ZTA 01-13;
and adding a hearing date for Bill 46-01:
1/22/02, at 7:00 P.M.

B. **Action** - Approval of Approved 11/27/01 minutes, as
Minutes: November 27, 2001 and Closed amended; and the closed session
Session Minutes of July 24, September 11, minutes.
September 13, October 9, October 23, and
November 20, 2001 (Edgar)

(2) 9:55 **CONSENT CALENDAR**

A. **Introduction** -

Resolution to amend the Ten-Year Introduced
Comprehensive Water Supply and
Sewerage Systems Plan: water and sewer
category changes (Levchenko)
Public Hearing
by T&E Committee is scheduled for
1/17/02 at 7:30 pm.

RES/ORD	SUBJECT	ACTION
	<p>B. Introduction -</p> <p>Resolution to approve Economic Development Revenue Bonds not to exceed \$4,060,000 for Imagination Stage, Inc. (Sherer)</p> <p><i>Public</i></p> <p><i>Hearing/Action is scheduled for 1/22/02 at 1:30 pm.</i></p>	Introduced
R-14-1098	<p>C. Action - Abandonment of Portions of Cloverly Street in Silver Spring (Orlin)</p> <p><i>T&E Committee recommends approval.</i></p>	Adopted
R-14-1099	<p>D. Action - Resolution to Grant a Franchise for Telecommunications System in the Public Right-of-Way: Columbia Transmission Communications (Cogan)</p> <p><i>MFP Committee recommendation will be available 12/10/01.</i></p>	Adopted
R-14-1100	<p>E. Action - End of Year Transfer for FY01 County Government Operating Budget - \$2,697,920 (Sherer)</p>	Adopted
	<p>F. Action - Resolution in support of State Financing for the Acquisition and Rehabilitation of the Victory Terrace Senior Apartments in Potomac (Trombka)</p>	Deferred
R-14-1101	<p>G. Action - Resolution to approve a Right of Recovery on behalf of the State of Maryland for State Grant Funds to be expended at the CHI Centers, Inc. facility in the former Hillandale Elementary School (Wilson)</p>	Adopted
R-14-1102	<p>H. Action - Resolution to extend time for Council action on Executive Regulation 17-01, Massage (Faden)</p>	Adopted

RES/ORD	SUBJECT	ACTION
	I. Action - MFP Committee report and recommendations on OLO Memorandum Report 2001-7, A Review of the County Government's Process of Contracting for Professional Services (Richards)	Approved the MFP Committee Recommendations
R-14-1103	J. Action - Confirmation of County Executive appointments to the Alcohol and Other Drug Abuse Advisory Council: William Henry; David P. Lunden; Frederick J. Oeltjen; Ellen L. Scrivens; Patricia Kaplan Gallagher; Rev. W. F. Terry Reister; William G. Simmons; Neal Berch (Ferber)	Adopted
R-14-1104	K. Action - Confirmation of County Executive appointments to the Board of Social Services: Kathryn A. Megyeri; M. Sayeed Quraishi; Jeffrey R. Rosenberg; Jamshed Y. Uppal (Ferber)	Adopted
R-14-1105	L. Action - Confirmation of County Executive appointment to the Water Quality Advisory Group: Helene Smith (Ferber)	Adopted
R-14-1106	M. Action - Amendment to Resolution 14-994 granting a Franchise for Telecommunications System in the Public Right-of-Way: Qwest Communications Corporation (Cogan)	Adopted
R-14-1107	N. Action - Resolution to approve Montgomery County Ethics Commission Regulation #33-01, Content of Limited Public Financial Disclosure Statement (Faden)	Adopted

RES/ORD	SUBJECT	ACTION
	<p>O. Introduction – Supplemental Appropriation to the County Government's FY02 Capital Budget and amendment to the FY01-06 Capital Improvements Program, Department of Correction and Rehabilitation - \$5,742,000 for the Montgomery County Correctional Facility (Source: State, G.O. Bonds, and Current Revenue) (McMillan)</p> <p><i>Public Hearing is scheduled for 1/29/02 at 1:30 pm.</i></p>	Introduced
	<p>P. Introduction – Supplemental Appropriation to the County Government's FY02 Capital Budget and amendment to the FY01-06 Capital Improvements Program, Montgomery County Revenue Authority - \$1,853,000 for land acquisition for the Montgomery County Airpark (Source: State Aid and Revenue Authority) (Wilson)</p> <p><i>Public Hearing is scheduled for 1/29/02 at 1:30 pm.</i></p>	Introduced
R-14-1108	<p>(2.5) 10:00 ACTION - Appointment to Merit System Protection Board (Ferber)</p> <p>10:05 DISTRICT COUNCIL SESSION</p>	<p>Adopted, appointing James McDaniel to serve on the Merit System Protection Board, effective January 1, 2002</p>
	<p>(3) A. Introduction - Zoning Text Amendment 01-13, Private Education Institutions - Special Exceptions, sponsored by Councilmembers Silverman and Denis (Wilson)</p> <p><i>Action - Resolution to establish public hearing for 1/29/01 at 1:30 pm.</i></p>	Deferred

RES/ORD	SUBJECT	ACTION
R-14-1109	(4) 10:10 ACTION - Resolution regarding Spending Affordability Guidelines for FY03 Operating Budget (Sherer)	Adopted, as amended (5y; MS, MP, HD, ND n)*
	10:50 LEGISLATIVE SESSION Day #39	
	A. Approval of Legislative Journal - November 20, 2001 (Edgar)	Approved as amended
	B. Introduction of Bills	Introduced
	(5) • Bill 44-01 , Housing Code - Amendments, sponsored by the Council President at the request of the County Executive (Faden) <i>Public Hearing is scheduled for 2/5/02 at 1:30 pm.</i>	
	(6) • Bill 45-01 , Storm Water Management - Requirements, sponsored by the Council President at the request of the County Executive (Faden) <i>Public Hearing is scheduled for 1/29/01 at 1:30 pm.</i>	Introduced
	(7) • Bill 46-01 , Property Tax - Assessments - Appeals, sponsored by Councilmember Denis (Faden) <i>Public Hearing is scheduled for 1/22/01 at 7:00 p.m.</i>	Introduced
	(8) • Bill 47-01 , Impact Tax - Amendments, sponsored by Council President and at the request of the County Executive (Faden) <i>Public Hearing is scheduled for 1/22/01 at 7:30 pm.</i>	Introduced
	C. Call of Bills for Final Reading	
	(9) • Bill 36-01 , Council Districts – Boundaries (Faden)	Enacted (9y)*

RES/ORD	SUBJECT	ACTION
	D. Miscellaneous Business:	
R-14-1110	<p>(10) • Action - Resolution to extend to December 31, 2002 the expiration date of Bill 27-00, Department of Information Technology – Reorganization (Cogan)</p> <p>(11) 11:30 PUBLIC HEARING - Bill 40-01, Taxation - Arts and Entertainment District – Credit (Faden) <i>MFP Committee worksession tentatively scheduled for 1/14/02 at 2:00 pm.</i></p> <p>(12) 11:30 PUBLIC HEARING - Emergency Bill 43-01, Minority Purchasing Program – Extension (Cogan) <i>Action is scheduled at the conclusion of this morning's hearings.</i></p>	<p>Adopted</p> <p>PH; record open until the close of business 1/7/02</p> <p>PH; action scheduled for legislative session later in the day</p>
R-14-1111	<p>(13) 11:30 PUBLIC HEARING/ ACTION – Resolution to amend the Montgomery County Public Schools' FY01-06 Capital Improvements Program – to reduce the scope of the School Gymnasiums projects by \$4.5 million (remove costs for Sally K. Ride ES, Ashburton ES, Greenwood ES, and Lakewood ES) (Levchenko) <i>ED Committee recommendations will be available 12/10/01.</i></p>	<p>PH; record closed; adopted</p>
R-14-1112	<p>(14) 11:45 ACTION – Resolution to Transfer Unexpected Project Balance within the Montgomery County Public Schools' FY02 Capital Budget and FY01-06 Capital Improvements Program - \$4,500,000 from School Gymnasiums Project to MCPS Local Unliquidated Surplus Account (Source: G.O. Bonds) (Levchenko) <i>ED Committee recommendations will be available 12/10/01.</i></p>	<p>Adopted</p>

RES/ORD	SUBJECT	ACTION
R-14-1113	(15) 11:45 ACTION – Resolution to Transfer Unexpected Project Balance within the Montgomery County Public Schools' FY02 Capital Budget and FY01-06 Capital Improvements Program - \$5,250,000 from MCPS Local Unliquidated Surplus Account to Current Replacements/Modernizations (Source: G.O. Bonds) (Levchenko) <i>ED Committee recommendations will be available 12/10/01.</i>	Adopted
	C. Call of Bills for Final Reading: (3 rd floor Council Hearing Room)	
	(12) • - Emergency Bill 43-01 , Minority Purchasing Program – Extension (Cogan)	Enacted (9y)*
RECESSED: 12:01 P.M.		
	(16) 7:30 PUBLIC HEARING – Potomac Subregion Master Plan (continuation) (3 rd floor Council Hearing Room) (Wilson)	PH; record open until the close of business 12/31/01

ADJOURNED: 9:45 P.M.

*y - yes

COMMITTEE	SUBJECT	ACTION
MFP Nov 26	9:00 AM – 7CHR (1) Economic Indicators (Farber)	Received briefing
	(2) Spending Affordability Guidelines for FY03 Operating Budget (Sherer)	Worksession
	(3) Franchise Agreement for Telecommunications System in Public Right of Way: American Communication Services of Maryland, Inc. (e.spire) (Cogan)	Worksession
PS/MFP Nov 26	1:30 PM – 7CHR (1) Special Appr. – DIST - \$3,934,390 for completion of ACD/E911 System (McMillan)	Recommended approval
PS/HHS Nov 26	2:00 PM – 7CHR (1) Commission on Juvenile Justice Annual Report (McMillan)	Received report
	(2) Local hospital emergency room availability (Davidson/McGuire)	Received briefing
HHS Nov 26	4:00 PM – 7CHR (1) Special Appropriation – DHHS - \$520,000 for CSAAC (McGuire)	Worksession
PHED Nov 29	9:30 AM – 7CHR ZTA 10-10, Special Exceptions – Comprehensive Revisions (continued) (Wilson)	Worksession
ED/HHS Nov 29	1:30 PM – 7CHR (1) Update – Early Childhood Work Group (McMillan/Hughes/Planell)	Received update
	(2) Update – Judy Center (McMillan/Hughes/Planell)	Received update
ED Nov 29	2:15 PM – 7CHR (1) Supplemental Appropriation – Montgomery College - \$2,225,000 for Planned Lifecycle Asset Replacement (Sherer)	Recommended approval
	(2) Financial Status Report from MCPS (Hughes)	Received report; discussion

COMMITTEE	SUBJECT	ACTION
ED (Cont'd.) Nov 29	(3) Supplemental Appropriation – MCPS - \$440,000 for Title I New School Improvements Funds (Hughes)	Recommended approval
	(4) Supplemental Appropriation – MCPS - \$1,740,236 for Food and Nutrition Services Enterprise Fund (Hughes)	Recommended approval
	(5) Briefing – standardized tests for MCPS students (Hughes)	Deferred
HHS Nov 29	2:15 PM – 3CCR	
	(1) Update – Asthma (McGuire)	Received update
	(2) Update – Infant Mortality (McGuire)	Received update
	(3) Emergency Bill 33-01 , Human Rights – Transportation and Government Services (Cogan)	Recommended approval
PHED Dec 3	9:30 AM – 7CHR	
	(1) Update – DHCA Commercial Revitalization program (Trombka)	Received update
	(2) Review of MPDU Program (<i>continued</i>) (Trombka)	Reviewed Program
	(3) ZTA 01-10, Special Exceptions – Comprehensive Revisions (<i>continued</i>) (Wilson)	Worksession
T&E Dec 3	2:00 PM – 7CHR	
	PROPOSED CLOSED SESSION to consult with counsel to obtain legal advice, pursuant to Maryland Code, State Government Article, §10-508(a)(7). Topic is Ride-On Bus advertising (7 th Floor Council Conference Room) – (Orlin)	Held closed session
	(1) <i>Intensive Budget Review</i> : Ride-On Advertising (Orlin)	Received briefing; discussed issues; and requested additional information
	(3) Abandonment of Cloverly Street (Orlin)	Recommended approval with conditions proposed by the County Executive and Hearing Examiner.

COMMITTEE	SUBJECT	ACTION
T&E (Cont'd.) Dec 3	(2) Asbestos issues at construction sites (Levchenko)	Discussed asbestos issues and requested follow up work by Council, DPS, and DEP Staff.
MFP Dec 3	2:00 PM – 3CCR (1) Briefing – Teleworking (Davidson/Ferber/Trombka)	Received briefing
	(2) Update of Fiscal Plan by OMB and Finance (Farber)	Received update
	(3) Spending Affordability Guidelines for FY03 Operating Budget (Sherer)	Recommended approval of the Guidelines as previously established, with the exception of (1) the property tax at the Charter limit (Mr. Andrews opting for the current rate); and (2) increasing the transfer amount from DPS to the General Fund in the amount of \$1.3 million.
	(4) Discussion – Stipends for quasi-judicial board members (Faden)	Discussion; recommended a comprehensive review
	(5) Discussion – Comcast Service (Healy)	Discussion
PS Dec 10	9:00 AM – 7CHR (1) Update – Kensington Staffing (Davidson)	Received update
	(2) Update – DOCR re status of new detention center (McMillan)	Received update
	(3) Drug Enforcement Forfeiture Fund Balance (McMillan)	Discussion
	(4) Discussion – Police Department traffic stop data (McMillan)	Discussion
HHS Dec 10	11:30 AM – 3 CCR (1) Quarterly Report – Strathmore Concert Hall (Davidson)	Received report

COMMITTEE	SUBJECT	ACTION
PS/MFP Dec 10	1:30 PM – 3CCR (1) Briefing – Montgomery County Circuit Court expansion (McMillan)	Received briefing
ED Dec 10	2:00 PM – 7CHR (1) Amendments to MCPS FY01-06 CIP to reduce scope of School Gymnasiums projects (Levchenko) (2) Transfer Unexpected Project Balance within MCPS FY02 Capital Budget and FY01-06 CIP - \$4,500,000 from School Gymnasiums Project to MCPS Local Unliquidated Surplus Account (Levchenko) (3) Transfer Unexpected Project Balance within MCPS FY02 Capital Budget and FY01-06 CIP - \$5,250,000 from MCPS Local Unliquidated Surplus Account to Current Replacements/Modernizations (Levchenko) (4) Briefing – standardized tests for MCPS students (Hughes)	Recommended approval Recommended approval Discussed; did not reach a consensus to approve (ND n; IL a) Received briefing
MFP Dec 10	2:00 PM – 3CCR (1) Status Report – Space Needs in the Rockville Core (Sherer) (2) Update – Retiree Health Insurance for all agencies (McGuire) (3) Update – Electronic Government (Trombka) (4) Quarterly Report – FiberNet (Trombka) (5) Review of Performance Measures – DIST (Trombka) (6) Resolution to Grant a Franchise for Telecommunications System in the Public Right-of-Way: Columbia Transmission Communications (Cogan)	Received status report Received update Received update Received report Reviewed performance measures Recommended approval with amendments to the agreement